PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Application No.:	10/530,351	Examiner:	M. S. HUSON
Filing Date:	April 6, 2005	Art Unit:	1791
First Inventor:	Bart Gerard BOUCHERIE	Customer No.:	23364
Attorney No.:	BOUC3022/JJC/PMB	Confirmation No.:	7774

For: METHOD AND DEVICE FOR MANUFACTURING PLUNGERS FOR MEDICAL SYRINGES, PLUNGERS OBTAINED THEREBY, AS WELL AS A SYRINGE FOR MEDICAL PURPOSES

SHORT FORM PTO COVER LETTER

COMMISSIONER FOR PATENTS
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SIR:

Attached hereto for filing are the following papers:

APPEAL BRIEF

Our check in the amount of **$255.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. § 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 02-0200. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. § 1.136 for the necessary extension of time.

Respectfully submitted,
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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For: **METHOD AND DEVICE FOR MANUFACTURING PLUNGERS FOR MEDICAL SYRINGES, PLUNGERS OBTAINED THEREBY, AS WELL AS A SYRINGE FOR MEDICAL PURPOSES**

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an appeal brief filed pursuant to the applicant's appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1 and 16 in the above identified application.

The filing of this appeal brief is made within two months of the filing of the Notice of Appeal and is therefore timely.

I. REAL PARTY IN INTEREST

The real party in interest is the assignee of record: BOUTECH, naamloze vennootschap (Izegem, Belgium).

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

A. Status of Claims in Proceeding

Claims 1 and 3-30 are currently pending in the above-identified application. Claims 1 and 3-16 are rejected and claims 17-30 are withdrawn.

B. Identification of Appealed Claims

The applicant chooses to appeal from the rejection of only independent claims 1 and 16.

Claim 2 was previously canceled.

Claims 3-15 depend from claim 1, and their patentability is based on their dependency from claim 1 and their individually recited features.

Claims 17-30 are withdrawn, and not subject to appeal.

A copy of all the pending claims as presented in the last entered amendment dated November 20, 2007 is included in the attached Claims Appendix.

IV. STATUS OF AMENDMENTS

There are no pending amendments of the claims. The last amendment was filed on November 20, 2007 of which entry was acknowledged in the Office action dated February 15, 2008.

V. SUMMARY OF CLAIMED SUBJECT MATTER

For the purposes of appeal, only the rejection of independent claims 1 and 16 are appealed. The remaining pending claims 3-15 depend from claim 1.

A. Claim 1

Claim 1 recites a method for manufacturing plungers (3; Figs. 1-6, 11, 12, 16, 17, 19) for medical syringes (1; Fig. 1) (page 1, lines 7-8; page 4, lines 11-12, 19-20). The plunger (3; Figs. 1-6, 11, 12, 16, 17, 19) comprises at least two parts (page 4, line 21) including a longitudinal plunger body (4; Figs. 1-6, 11, 12, 14-17, 19) made of plastic (page 4, line 22; page 16, lines 2-4), and a piston body (5; Figs. 1-12, 14-17, 19) provided at a front end of the plunger body (page 4, line 23).

The piston body (5; Figs. 1-12, 14-17, 19) comprises a plastic which is softer than the plastic of the plunger body (4; Figs. 1-6, 11, 12, 14-17, 19) (page 4, lines 22-25; page 8, lines 5-7; page 16, lines 16-17). The plunger (3; Figs. 1-6, 11, 12, 16, 17, 19), or at least a part of the plunger (3; Figs. 1-6, 11, 12, 16, 17, 19), is formed by first manufacturing the piston body (5; Figs. 1-12, 14-17, 19) and then the plunger body (4; Figs. 1-6, 11, 12, 14-17, 19), or at least a part of the plunger body (4; Figs. 1-6, 11, 12, 14-17, 19), by means of injection moulding (page 4, lines 26-27; page 19, lines 11-16, 25-29; page 20, lines 1-5; page 21, line 30 through page 22, line 2; page 22, line 25 through page 23, line 2; page 23, lines18-20).

The plunger body (4; Figs. 1-6, 11, 12, 14-17, 19), or the part of the plunger body (4; Figs. 1-6, 11, 12, 14-17, 19), is injected against the piston body (5; Figs. 1-12, 14-17, 19) (page 4, lines 28-29; page 21, line 30 through page 22, line 2). The piston body (5; Figs. 1-12, 14-17, 19) has a front side and a side wall and is formed such that the front side and side wall thereof are free of any flash lines and/or gate points for the plastic (page 5, lines 9-19).

B. Claim 16

Claim 16 recites a method for manufacturing plungers (3; Figs. 1-6, 11, 12, 16, 17, 19) for medical syringes (1; Fig. 1) (page 1, lines 7-8; page 4, lines 11-12, 19-20). The syringes have at least a piston body (5; Figs. 1-12, 14-17, 19). The method comprises forming a part (48; Figs. 16, 17, 19) of the piston body (5; Figs. 1-12, 14-17, 19) at the location of the piston body (5; Figs. 1-12, 14-17, 19) which protrudes frontally from a front side of the piston body (5; Figs. 1-12, 14-17, 19) and which, when the plunger is located in a syringe (1; Fig. 1), can penetrate at least partially through an outlet (45, 46; Figs. 16, 17, 19) of the syringe (1; Fig. 1) (page 9, lines 14-19; page 12, lines 1-14; page 13,line 28 through page 14, line 9; page 24, lines 1-12).

The piston body part (48; Figs. 16, 17, 19) is formed of a material which is different from the material of the piston body (5; Figs. 1-12, 14-17, 19) (page 8, line 28 through page 9, line 8; page 24, lines 12-15; page 25, lines 8-10).

The materials forming the piston body (5; Figs. 1-12, 14-17, 19) on the one hand and the aforesaid protruding part (48; Figs. 16, 17, 19) on the other hand are injected against one another such that said piston body is made in one piece with a plunger body (4; Figs. 1-6, 11, 12, 14-17, 19) belonging to the plunger (3; Figs. 1-6, 11, 12, 16, 17, 19) (page 4, lines 28-29; page 11, lines 18-29; page 21, line 30 through page 22, line 2; page 24, lines 17-18).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claim 1 is anticipated under 35 U.S.C. § 102(b) by WIPO publication no. WO 01/70311 A1 (*Chiba*), using a translation of the related document Japanese publication no. JP 2001-259031.

Whether claim 16 is anticipated under 35 U.S.C. § 102(b) by U.S. patent no. 5,782,803 (*Jentzen*).

VII. ARGUMENT

As discussed in detail below, the basis for the final rejection of claims 1 and 16 does not satisfy the requirements of anticipation of the subject matter recited in the rejected claims. Therefore, reversal of the rejection of claims 1 and 16 is respectfully requested.

A. Claim Rejections

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by WIPO publication no. WO 01/70311 A1 (*Chiba*), using a translation of the related document Japanese publication no. JP 2001-259031.

Claim 16 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 5,782,803 (*Jentzen*).

B. Pertinent Law

In rejecting claims under 35 U.S.C. § 102(b), anticipation can only be established when a single prior art reference discloses, either expressly or under the principles of inherency, each and every element of the claimed invention. *See for example, In re Paulsen*, 30 F.3d 1475, 1480-1481, 31 USPQ2d 1671, 1675 (Fed. Cir. 1994): and *In re Spada*, 911 F.2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1990). The same invention must be shown in as complete detail as is described in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). It is recognized that the elements must be arranged as required by the claim, however, there is no *ipsissimis verbis* test (identity of terminology is not required). *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

The dispositive question regarding anticipation is whether one skilled in the art would reasonably understand or infer from the prior art reference's teachings that every claim limitation was described in that single reference. *Dayco Prods., Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 1368, 66 USPQ2d 1801, 1809 (Fed. Cir. 2003). To establish anticipation, it must be shown that a single prior art reference describes each and every limitation of a claimed invention. *Hybritech Inc. v.*

Monoclonal Antibodies, Inc., 802 F.2d 1367, 1379, 231 USPQ 81, 90 (Fed. Cir. 1986; cert. denied, 480 U.S. 947 (1987). The description in the reference may be either express or inherent. *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

C. The subject matter recited in claim 1 is not anticipated by the *Chiba* publication

1. Basic description of the *Chiba* publication (based upon the translation of the related document Japanese publication no. JP 2001-259031)

The *Chiba* publication discloses a method of producing a syringe having a gasket joined to a plunger without engagement and having a reduced overall length (*Chiba* abstract).

The syringe consists of a plunger 5 made of thermoplastics and a gasket 6 that consists of thermoplastic elastomer (JP '031, paragraphs [0006], [0012], and [0013]). The plunger 5, as shown in the figures, is an elongate member formed from plate-like parts 7a and 7b that are combined in a cross configuration, and a disk-like flange 9 on a front end and a disk 8 on a back end serving as a finger engaging portion (JP '031, paragraph [0012]).

As described in paragraphs [0015] and [0016] and illustrated in Figs. 2(a)-(c) of JP '031, in the exemplary method of producing a syringe, the plunger portion 5 is manufactured first (JP '031, paragraph [0015]). Next, the plunger 5 is placed in the mold 21a, 21b and then the gasket 6 is formed by injecting the thermoplastic elastomer from a front side of the gasket 6 (Figs. 2(a)-(c); JP '031, paragraph [0016]).

As can be seen in Figs. 2(a)-(c) of the *Chiba* publication, the front side and the sidewalls of the gasket 6 include a gate point for the thermoplastic elastomer and flash lines, respectively.

For clarification, the flash lines are formed on the side wall of the gasket 6 along the split between the molds 21a, 21b. This is due to the fact that some of the

thermoplastic elastomer material injected to form the gasket 6 will fill in the gaps defined by the split between the two mold parts 21a, 21b, no matter how small the gaps are.

Further, the gate point is clearly identified at the front side of the gasket 6 as a pin point gate 23 (Figs. 2(a)-(c); JP '031, paragraph [0015]).

While the *Chiba* publication does disclose that the gasket 6 may be fabricated beforehand and placed in the mold 21a, 21b, and the plunger 5 injected later (JP '031, paragraph [0019]), there is no similar discussion to the discussion of the process described above for the process that is used to form this particular embodiment. There is further no discussion on the specific process that is used to form the gasket 6 beforehand.

2. Differences in the teachings of the *Chiba* publication from the invention recited in claim 1

In the discussion that follows, the applicant submits that the method and associated structure recited in claim 1 differs from the teachings of the *Chiba* publication on the basis that the *Chiba* publication fails to disclose forming a piston body from plastic having a front side and a side wall that are free of any flash lines and/or gate points for the plastic. Thus, it is submitted that a skilled artisan would not reasonably understand or infer from the *Chiba* publication that every feature of claim 1 is described therein.

As discussed above, in the exemplary embodiment illustrated in Figs. 2(a)-(c), the *Chiba* publication specifically discloses a gasket 6, which corresponds to the recited piston body, that includes front side and sidewalls having a gate point for the thermoplastic elastomer and flash lines, respectively. This is in contrast to pending claim 1, which requires the front side and side wall of the piston body to be free from flash lines and/or gate points.

The *Chiba* publication does not discuss or suggest any process for forming the gasket 6 to be free of flash lines and/or gate points. Thus, a skilled artisan would not

have found the teachings of the *Chiba* publication to disclose forming a piston body from plastic having a front side and a side wall that are free of any flash lines and/or gate points for the plastic.

As discussed above, while an alternate embodiment of the *Chiba* publication discloses forming the gasket 6 first and placing the gasket 6 in a mold to subsequently form the plunger 5, there is no discussion that would indicate that the gasket 6 is formed with a front side and a side wall that are free of any flash lines and/or gate points for the plastic, as is required by pending claim 1.

Accordingly, in view of these observations, it is apparent that the *Chiba* publication fails to disclose or suggest a forming a piston body from plastic having a front side and a side wall that are free of any flash lines and/or gate points for the plastic, as is required by pending claim 16.

D. The subject matter recited in claim 16 is not anticipated by the *Jentzen* patent

1. Basic description of the *Jentzen* patent

The *Jentzen* patent discloses a non-reusable syringe which has very low residual medication in the syringe after use (abstract; col. 1, lines 49-51). The structure of the syringe is discussed in detail in col. 1, line 51 through col. 2, line 12.

> A cylindrical barrel is provided which includes first and second ends. The barrel has a first internal wall of a given diameter and a second internal wall having an internal diameter smaller than the diameter of the first internal diameter wall. The second internal diameter wall has an end which protrudes distally away from the distal end of the first internal diameter wall.
>
> A chamber is provided for receipt of fluid within the barrel and between the first and second barrel ends. A plunger is extendable into the barrel through the first end of the barrel with the plunger having a distal and dorsal end. The plunger is selectively moveable from an expanded

position to an expended position. A low dead space sealing means is included which has an elastomeric sealing member which is engaged to the plunger immediate the distal end of the plunger for slidable sealing contact with at least one of the first and second internal walls of the barrel. An elongated nose tip portion, sometimes provided in the form of a blunt-ended nose tip portion, is slidable along and extending distally through the second internal wall of the barrel. In the case of the blunt-ended nose tip configuration, this nose tip extends distally to but not through the second internal wall of the barrel.

The syringe may also include a third inwardly sloping, curved internal diameter surface extending between the first and second barrel internal diameter walls. The low dead space sealing means may also include a sealing portion of the sealing member profile for selective contourly snug contact along the third internal diameter wall of the plunger.

As shown in Figs. 4-6, the sealing element 300, which includes an elongated nose tip 301 shaped to mate with the nozzle 110, in order to expel residual medication, is made of an elastomeric material (col. 3, lines 44-45; col. 4, lines 40-44).

In an alternative embodiment shown in Fig. 7, instead of the sealing element 300 adopting the shape of the nozzle, the plunger end 202 is shaped to match a second internal diameter 102 of the barrel (col. 5, lines 10-13). The sealing element 300 is reduced to a twin-lobed, elastomeric donut that is situated in a recess on the plunger (col. 5, lines 14-16).

2. Differences in the teachings of the *Jentzen* patent from the invention recited in claim 16

In the discussion that follows, the applicant submits that the method and associated structure recited in claim 16 differs from the teachings of the *Jentzen* patent on the basis of the following particulars:

a. the *Jentzen* patent fails to disclose a piston body having a frontally protruding piston body part that is formed of a material which is different from the material of the piston body;

b. the *Jentzen* patent fails to disclose the materials forming the piston body and the protruding part injected against one another such that the piston body is made in one piece with a plunger body of a plunger.

a. Piston body and protruding piston body part formed from different materials according to claim 16

One of ordinary skill in the art would not reasonably understand or infer from the teachings of the *Jentzen* patent that every step and structural feature of claim 16 is described or shown therein. In particular, the *Jentzen* patent fails to disclose or suggest a protruding piston body part being formed from a different material than the piston body, as is required by pending claim 16.

As discussed above, the *Jentzen* patent discloses multiple embodiments of a syringe having a sealing element 300, or a plunger end 202, which are shaped to correspond to a reduced diameter portion of the syringe barrel in order to obtain very low residual medication in the syringe after use.

As shown in Figs. 4-6, the sealing element 300, which corresponds to the recited piston body, does include an elongated nose tip 301, which corresponds to the recited piston body protruding part. However, there is no discussion in the *Jentzen* patent of the elongated nose tip 301 being formed from a different material than the sealing element 300, as is required by pending claim 16.

As previously mentioned, the *Jentzen* patent merely discloses that the sealing element 300 can be made of an elastomeric material (col. 3, lines 44-45). With particular reference to col. 4, lines 40-44, the *Jentzen* patent specifically discloses elongating the sealing element 300 to form the elongated nose tip 301.

Accordingly, a skilled artisan would understand from the teachings of the *Jentzen* patent that the elongated nose tip 301 is formed from the same elastomeric material as the sealing element 300.

As a consequence of these observations, it is apparent that the *Jentzen* patent fails to disclose or suggest a protruding piston body part being formed from a different material than the piston body, as is required by pending claim 16.

b. Materials of piston body and protruding piston body part injected against one another to be formed in one piece with a plunger body of a plunger according to claim 16

As discussed in detail below, the *Jentzen* patent fails to disclose or suggest materials forming the piston body and the protruding part injected against one another such that the piston body is made in one piece with a plunger body of a plunger, as is required by pending claim 16.

As discussed above, the *Jentzen* patent fails to disclose different materials forming the piston body and the piston body protruding part as required by pending claim 16. It further follows that since the *Jentzen* patent discloses the piston body and the piston body protruding part being formed from the same material, the *Jentzen* patent must fail to disclose or suggest materials forming the piston body and the protruding part injected against one another, since only a single material is disclosed.

It still further follows that since the *Jentzen* patent fails to disclose different materials of the piston body and the protruding part injected against one another, that the *Jentzen* patent fails to disclose the different materials of the piston body and the

protruding part injected against one another such that the piston body is made in one piece with a plunger body of a plunger.

The Office action relies on the teachings of Fig. 7 of the *Jentzen* patent to disclose a piston body (indicated by element 300 in the Office action) formed in one piece with a plunger body (indicated by element 202 in the Office action) belonging to a plunger. However, as discussed above, the sealing element 300 of the *Jentzen* patent is a separate element in the form of a twin-lobed donut that is situated in a recess in the plunger (col. 5, lines 14-16).

Thus, contrary to the assertion in the Office action, the *Jentzen* patent fails to disclose a piston body formed in one piece with the plunger body.

In view of these observations, it is apparent that the *Jentzen* patent fails to disclose or suggest materials forming the piston body and the protruding part injected against one another such that the piston body is made in one piece with a plunger body of a plunger, as is required by pending claim 16.

VIII. Conclusion

For the reasons set forth above, independent claims 1 and 16 of the pending application define subject matter that is not anticipated within the meaning of 35 U.S.C. § 102(b) by the *Chiba* publication, nor the *Jentzen* patent, respectively.

Reversal of the rejections of claims 1 and 16 are respectfully requested. Since the remaining pending claims 3-15 depend from claim 1, the reversal of the rejections of these claims is likewise requested.

The Fee required by 37 C.F.R. § 1.17(c) is enclosed herewith. The Office is authorized to charge any additional fees associated with this communication to Deposit Account No. 02-0200.

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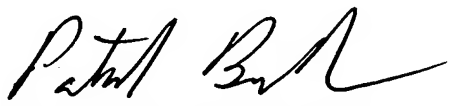

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IX. CLAIMS APPENDIX

Claim 1 (Previously Presented). Method for manufacturing plungers for medical syringes, said plunger comprising at least two parts including a longitudinal plunger body made of plastic and a piston body provided at a front end of the plunger body, which piston body comprises a plastic which is softer than the plastic of the plunger body, wherein said plunger, or at least a part of the plunger, is formed by first manufacturing the piston body and then the plunger body, or at least a part of the plunger body, by means of injection moulding, and wherein the plunger body, or said part of the plunger body, is injected against the piston body, said piston body having a front side and a side wall and being formed such that the front side and side wall thereof are free of any flash lines and/or gate points for the plastic.

Claim 2 (Canceled).

Claim 3 (Previously Presented). Method according to claim 1, wherein the piston body and the plunger body, or said part of the plunger body, are connected solely by the adhesion between the plastics out of which they are made, without any meshing parts or counter drafts being formed thereby.

Claim 4 (Previously Presented). Method according to claim 1, wherein at least one inwardly directed part defining a counter draft is formed on the piston body, and use is made during the injection moulding of a mould part having a protruding part in which one or several lateral recesses are provided forming a counter draft, such that the mould part may be removed from the piston body due to the elastic flexibility of

the material of the piston body, to thereby enable the protruding part to be pulled from the formed piston body.

Claim 5 (Previously Presented). Method according to claim 1, wherein the plastic forming the piston body is provided in a respective mould cavity via a back side of the piston body to be formed.

Claim 6 (Previously Presented). Method according to claim 1, wherein the piston body is formed in a first mould cavity, after which the piston body, while it is still held in a first mould cavity or a part thereof, is presented to a second mould cavity in which the plunger body, or the part of the plunger body, is then injected against the piston body by means of injection moulding, and wherein mould cavities are used having such a shape that the resulting plunger body or the part of the plunger body, and the piston body are connected to each other due to their shape and/or adhesion between the plastics.

Claim 7 (Previously Presented). Method according to claim 6, wherein while the plunger body or the plunger body part is formed such that it connects to the piston body, a subsequent piston body is simultaneously being formed by means of a connector nozzle with which the first piston body is formed, but in another mould cavity.

Claim 8 (Previously Presented). Method according to claim 1, wherein the piston body is formed in a mould with mould parts whose partial surface mainly coincides with a rear side of the piston body to be formed or extends parallel thereto, after which a mould part with the piston body provided in it is presented against other mould parts in which the plunger body or the part of the plunger body is formed.

Claim 9 (Previously Presented). Method according to claim 1, wherein when forming the plunger or a part of the plunger, an accessory is also formed which is located with at least a part thereof on the front side of the piston body, and which comprises a material which is different from the material of the piston body.

Claim 10 (Previously Presented). Method according to claim 9, wherein the material of the accessory comprises a plastic which is harder than the plastic out of which the piston body is formed.

Claim 11 (Previously Presented). Method according to claim 9, wherein accessory comprises a part which extends frontally from the front side of the piston body and which, when the plunger is situated in the syringe, can at least partially penetrate in an outlet of the syringe, in order to be able to optimally empty the syringe.

Claim 12 (Previously Presented). Method according to claim 9, wherein the accessory comprises a part which enables creation of a passage between the front side

and a rear side of the piston body when emptying the syringe in order to prevent the syringe from being re-used.

Claim 13 (Previously Presented). Method according to claim 9, wherein the accessory can be made in a shape selected from the following shapes:

- as a part made in one piece with the plunger body or said part of the plunger body, and thus formed simultaneously with the plunger body or part thereof during the injection moulding;
- as a separate part provided on the front side of the piston body;
- as a separate part provided on the front side of the piston body, wherein such separate part is injected against the material of the piston body after the piston body has been formed.

Claim 14 (Previously Presented). Method according to claim 1 wherein, in the case where only a part of the plunger body is injected against the piston body, such plunger body part is made as an insert, whereby it is possible to provide for a connection with the rest of the plunger body at a later stage.

Claim 15 (Previously Presented). Method according to claim 1, wherein, instead of being used for manufacturing plungers with a longitudinal plunger body the method is used for manufacturing plungers of the type intended to be used in combination with a drive element, wherein each such plunger then comprises a piston

body and a plunger part, such that the plunger part is configured to co-operate with such drive element.

Claim 16 (Previously Presented). Method for manufacturing plungers for medical syringes having at least a piston body comprising forming a part of the piston body at the location of the piston body which protrudes frontally from a front side of the piston body and which, when the plunger is located in a syringe, can penetrate at least partially through an outlet of the syringe, wherein said piston body part is formed of a material which is different from the material of the piston body, and wherein the materials forming the piston body on the one hand and the aforesaid protruding part on the other hand are injected against one another such that said piston body is made in one piece with a plunger body belonging to the plunger.

Claim 17 (Withdrawn). Device for applying the method according to claim 1, comprising a number of mould parts defining at least a first mould cavity and a second mould cavity for forming the piston body and the plunger body, or a part of the plunger body, respectively; a motion mechanism enabling movement of the mould parts in relation to one another and to position them differently so that, in a first position, the piston body can be injected, and in a second position, the plunger body or the plunger body part can be injected against the piston body; and an injection device arranged to supply the plastic to be injected to the mould cavities, wherein in the first position, the partial surface of the mould parts that form the mould cavity of the piston body coincide with a rear side of said piston body.

Claim 18 (Withdrawn). Device according to claim 17, wherein the first mould cavity is mainly situated in a single mould part and in that the motion device comprises a mechanism with which said first mould part (13) with the mould cavity provided in it can be moved between at least two positions, namely a first position whereat the mould cavity is mainly sealed and is connected to a first nozzle for injecting a first plastic on the one hand, and a second position whereat the mould cavity connects to the second mould cavity, such that the latter is connected to a second nozzle for injecting a second plastic, on the other hand.

Claim 19 (Withdrawn). Device according to claim 18, comprising two or more first mould cavities configured for the formation of piston bodies which are situated such that one of these first mould cavities can work in conjunction with the first nozzle, while another one of the first mould cavities is simultaneously being presented to the second mould cavity, and wherein the motion device moves the first mould cavities in such a manner that the first mould cavities are systematically and repeatedly presented to the first nozzle and the second mould cavity.

Claim 20 (Withdrawn). Device according to claim 17, wherein the motion device comprises a rotating indexing mechanism, whose axis of rotation extends in a direction which is different from the direction or directions of movement according to which the mould parts which are required to form the mould cavities open and close.

Claim 21 (Withdrawn). Device according to claim 17, wherein the injection device comprises two nozzles for injecting two plastics respectively, and in that both nozzles are provided in one and the same mould part or in one and the same whole, comprising rigidly connected mould parts.

Claim 22 (Withdrawn). Device according to claim 17, wherein the injection device comprises two nozzles, for injecting two plastics respectively, and in that both nozzles open into parallel land areas of the respective mould parts.

Claim 23 (Withdrawn). Device according to claim 17, wherein the mould cavities are formed of mould parts which together define three partial surfaces, namely surfaces whose mould cavities open and close, and wherein the partial surfaces are disposed step-like in relation to each other.

Claim 24 (Withdrawn). Device according to claim 17, wherein the mould three mold parts which can be mutually moved, including a first mold part and a second mold part respectively, which can be placed against each other by means of a translation movement, or can be moved away from each other, and a third mold part which can be moved between at least two positions, namely a first position in which the third mold part at least co-operates with the first mold part in order to define the first mould cavity, on the one hand, and a second position in which a third mold part at least co-operates with the first mold part as well as the second mold part in order to

define the second cavity mould, such that the second mold cavity opens to a part of the plunger formed in the first mould cavity.

Claim 25 (Withdrawn). Device according to claim 24, wherein the third mold part is rotatable and can also be translated in relation to the first mold part and the second mold part in order to facilitate the opening and sealing of the mould cavities.

Claim 26 (Withdrawn). Device according to claim 24, wherein the second mold part and third mold part are mounted on a common support such that they can be mutually moved, which support may be mutually moved in turn in relation to the first mold part.

Claim 27 (Withdrawn). Syringe for medical purposes, comprising of which at least a part has been formed according to the method of claim 1.

Claim 28 (Withdrawn). Syringe for medical purposes, comprising at least a cylinder body with an outlet which is formed of a narrowed outlet part, as well as a plunger working in conjunction with the cylinder body which is provided with a piston body and a plunger body, wherein the plunger comprises a plunger part which protrudes frontally from the front side of the piston body and which can penetrate at least partially through said outlet part, wherein the plunger part is formed of a material which is different from the material of the piston body.

Claim 29 (Withdrawn). Syringe according to claim 28, wherein the plunger part which protrudes frontally from the front side of the piston body comprises either of the following:

- a part made in one piece with the plunger body or made in one piece with a part of the plunger body;
- a separate part disposed on the piston body.

Claim 30 (Withdrawn). The syringe as claimed in claim 28, wherein the plastic forming the plunger part is harder than the plastic forming the piston body.

X. EVIDENCE APPENDIX

There are no copies of evidence entered and relied upon in this appeal of the pending application.

XI. RELATED PROCEEDINGS APPENDIX

There are no related proceedings or decisions rendered by a court or the Board of Appeals in any proceeding identified in the related appeals and interferences section in the pending application.